



**Board of Commissioners of Spalding County  
Extraordinary Session  
October 21, 2019  
6:00 PM  
Room 108, Spalding County Annex Building**

**The Spalding County Board of Commissioners held their Extraordinary Session in Room 108 of the Spalding County Annex on Monday, October 21, 2019, beginning at 6:00 p.m. with Chairperson Rita Johnson presiding. Commissioners Donald Hawbaker, James Dutton, Gwen Flowers-Taylor, and Bart Miller were present for the meeting. Also present were County Manager, William P. Wilson, Jr., Assistant County Manager, Michelle Irizarry, County Attorney, Stephanie Windham and Executive Secretary, Kathy Gibson who recorded the minutes.**

**I. OPENING (CALL TO ORDER) by Chairperson Rita Johnson.**

**PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.**

**II. INVOCATION led by Commissioner James Dutton, District 2.**

**III. PLEDGE TO FLAG**

Commissioner Bart Miller, District #4 will deliver the Pledge to the Flag.

***Motion/Second by Flowers-Taylor/Miller to amend the Agenda to include an Item #16 under New Business to review and approval of the Task Order Form submitted by Paragon Consulting for evaluation of the Cowan Road proposed site for the Aquatic Center. Motion carried unanimous by all.***

**IV. PRESENTATIONS/PROCLAMATIONS**

1. Quimby Melton, III, Chairman of the Griffin-Spalding Board of Education eSPLOST Committee to present an overview of the eSPLOST VI projects.

Mr. Melton stated that he wanted to make everyone aware that on November 5<sup>th</sup> there will be an eSPLOST which is educational funds for the Griffin-Spalding County School System. Mr. Melton stated that this is a \$40+ million eSPLOST. It is not a new tax, it simply continues the eSPLOST that is going right now. This will benefit every school in Griffin and Spalding County.

He then stated that Spalding High School needs a new roof. That school is 20 years old and it is in need of a new roof and the new roof is anticipated to cost approximately \$5 million.

Mr. Melton then advised that it is not a new SPLOST and will purchase new technology for the schools and includes updates for facilities. It also has provisions for a new facility to house the bus shop. The current facility is in bad shape. Also included in this eSPLOST will be new buses.

Mr. Melton then advised that there are provisions for safety and security upgrades at the schools which is vital to the health and wellbeing of our students. Mr. Melton then advised that the recent graduation rates for Griffin and

Spalding County was in the upper 80-90%. This rivals any other county in Georgia.

Mr. Melton asked that everyone go out and vote, the only thing on the ballot for County residents is the eSPLOST.

2. Representatives from the Muscular Dystrophy Association are present to receive a check from the Spalding County Firefighters for the funds raised during the 2019 MDA Boot Drive.

Bridgette Monroe with the Muscular Dystrophy Association advised that she is based out of Macon and she has had the pleasure of working with the Spalding County Fire Department. Ms. Monroe stated they had their summer camp in July and they had close to 100 kids who came together to make amazing memories and participate in activities that focus on their abilities versus their disability. They also are learning independent living skills.

Ms. Monroe advised that as more treatments are becoming available, these children are getting stronger and living longer. In the last four years, the FDA has approved eight drugs. To put that into perspective, prior to those eight drugs being approved, there was one drug approved in 2006 and one drug approved in the 90's. The approval of eight new drugs over the last four years is a huge step forward.

Ms. Monroe then stated that last month MDA awarded 25 new grants, totaling more than \$6.6 million aimed to advance research discoveries and new therapy development for forms of Muscular Dystrophy. These types of grants would not be able to be funded without the support of fire departments like the Spalding County Fire Department and other partners that we have.

Ms. Monroe then introduced Shelby Hersberger and Tyson Hersberger who is a local family and one of our State Ambassadors who thanked the Spalding County Fire Department for everything they do for the MDA and for "filling the boot" because her son, who is 9 years old, has muscular dystrophy and the MDA has had a big impact on their lives. They are always available to answer questions. It is a tough journey you embark on when your child is diagnosed with Muscular Dystrophy. Ms. Hersberger stated that the MDA has a week-long summer camp and her son considers that the best week of the year. She then thanked the firefighters for going out every year and collecting the money to provide these summer camps and to finance research into this disease.

Ms. Monroe stated that this is the 20<sup>th</sup> year that Spalding County has supported MDA and through last year they had raised over \$113,000 for MDA through the "Fill the Boot" campaigns. In 2019, they held their boot drive at Walmart and Ingles and this year they have a check in the amount of \$7,742 to present to MDA and this brings their 20 years of support to \$121,108.

## **V. PRESENTATION OF FINANCIAL STATEMENTS**

1. Consider approval of financial statements for the three months ended September 30, 2019.

Jinna Garrison, Administrative Services Director, stated she is here this evening to answer any questions the Board may have regarding the financial statements.

***Motion/Second by Dutton/Flowers-Taylor to approve the financial statements for the three months ended September 30, 2019. Motion carried unanimously by all.***

## **VI. CITIZEN COMMENT**

Speakers must sign up prior to the meeting and provide their names, addresses and the topic they wish to discuss. Speakers must direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. The Chairman has the right to limit your comments in the interest of disposing of the County's business in an efficient and respectable manner.

Speakers will be allotted three minutes to speak on their chosen topics as they relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting. No speaker will be permitted to speak more than three minutes or more than once, unless the Board votes to suspend this rule.

JoAnn Phinazee, 859 Park Point Drive , Griffin, spoke about the Fairmont/Heritage Park project.

Peter H. Cabrel, 1260 Hillview Road, Hampton, apologized for Mr. Wilson for statements he had made regarding Mr. Wilson's employment contract and salary.

Gwen Williams, P.O. Box 454, Orchard Hill, advised that Dolly Good Puppy has taken over the Chili Cook-Off that was previously sponsored by the Human Society and invited everyone to the Cook-Off this Saturday, October 26<sup>th</sup>, at the Pavillion on Aerodrome Way in Griffin.

## **VII. MINUTES -**

1. Consider approval of minutes for the Spalding County Board of Commissioners Regular Meeting on October 7, 2019.

***Motion/Second by Flowers-Taylor/Miller to approve the minutes of the Spalding County Board of Commissioners Regular Meeting on October 7, 2019. Motion carried 4-0-1 (Hawbaker was absent from this meeting).***

## **VIII. OLD BUSINESS - None.**

## **IX. NEWBUSINESS -**

1. Consider request for amplification permit from Humberto Colon to host a Child's Christening at his Humberto Rancho Capricho located at 1650 N. Walkers Mill Road on Saturday, November 9th, 2019 from 4:00 p.m. to 10:00 p.m.

Mr. Wilson stated that Community Development and the Sheriff's Office have reviewed the application and recommend approval of the amplification permit.

***Motion/Second by Flowers-Taylor/Dutton to approve the request for an amplification permit from Humberto Colon to host a Child's***

***Christening at his Humberto Rancho Capricho located at 1650 N. Walkers Mill Road on Saturday, November 9th, 2019 from 4:00 p.m. to 10:00 p.m. Motion carried unanimously by all.***

2. Consider approval of the 2020 Holiday Calendar for Spalding County Employees.

Mr. Wilson stated that the Holiday Calendar contains the traditional holidays for 2020. We bring them to be Board in October of every year so we can start working on the next year.

***Motion/Second by Hawbaker/Dutton to approve the 2020 Holiday Calendar for Spalding County employees. Motion carried unanimously by all.***

3. Consider request from the Spalding County Sheriff's Office for approval of the List of Roadways On-System and Off-System currently in Spalding County's Code of Ordinances with their designated speed limits.

Mr. Wilson advised that in order for the Sheriff's Office to run radar or speed detection devices, we have to send an updated list of the roads in Spalding County and the speed limits established by the Board of Commissioners to GDOT for review and approval. This list contains both On-System and Off-System roads that will be sent to the Department of Public Safety. They will review the list, then they will document the list in their files and then the Sheriff's Department will be able to run radar and issue tickets on these streets only.

Commissioner Hawbaker then asked what it takes to get on the list?

Mr. Wilson stated that the Sheriff's Office will recommend roads to be placed on the list.

Commissioner Hawbaker stated that he would like to have every street within the Sun City community added to the list. We could balance our budget on the speeding tickets that could be issued to the speeders who exceed the 25 m.p.h. limit in Sun City alone. He wants those streets placed on the list and periodic patrol, observation and enforcement on these streets. He stated someone is going to get killed out there and he is concerned. Commissioner Hawbaker then asked Sheriff Dix how we can get the streets and Sun City added to the list.

Sheriff Dix stated there are requirements from DOT that have to be met in order to have these roads placed on the list. These requirements include visibility, the rise and fall of the road and the length of the roadway. Just because there is a paved road does not mean that it meets the requirement to be on the DOT approved list. We can then recommend the roadway to DOT and they will then come out and make sure that our assessment is correct.

Commissioner Hawbaker then requested that the Sheriff start the process of having the roads in Sun City evaluated for inclusion on this list. Stop signs in the subdivision are about the only violation we can address at this point and he has been wanting to address the speeding violations for a long time.

Commissioner Dutton stated he would have to recuse himself from the vote as this is directly related to his business.

Commissioner Flowers-Taylor stated that in looking at High Falls Road which is the road that she lives on, it states for a stretch of approximately 6 miles the speed limit is 50 m.p.h. and she is concerned that the speed limit at Newton Road and Ira

Drive is still 50 m.p.h. so she has a problem approving this as a road because that is a dangerous road, her thing is that the speed limit is too high on that street. Her question is if we submit this list for approval, what happens if we decide to go in and change the speed on one of these road?

Sheriff Dix stated that he didn't believe it would be a problem to change the speed limit on the roads.

***Motion/Second by Flowers-Taylor/Miller to approve the list as requested by the Sheriff's Office for submission of On-System and Off-System roads currently in the Spalding County Code of Ordinances with their designated speed limits. Motion carried 4-0-1 (Dutton recused himself).***

4. Consider approval of the following 2020 Alcohol License Renewals for Retail Sales Package Store:

- Carver's Liquor Square, Inc. dba Carver Bottle Shop located at 1557D Williamson Rd., Griffin-Atulkumar Patel. Beer Wine and Liquor.
- Modern Group, LLC dba HUB located at 7770 Newnan Rd., Brooks, 30205-Karim Dodhia. Beer, Wine and Liquor.
- Diand Suk Choi dba Sam's Package Store located at 1301 N. Hill Street, Griffin-Diand Suk Choi. Beer, Wine and Liquor.
- Kong Enterprise, Inc. dba The Liquor Gate located at 1740 Zebulon Rd, Griffin-Sotetra Kong. Beer, Wine and Liquor.
- Vijhem, LLC dba 19/41 Package located at 2004 N. Expressway, Griffin-Vijaykumar Patel. Beer, Wine and Liquor.

Mr. Wilson stated that all of the applications have been reviewed and staff recommends approval for 2020.

***Motion/Second by Hawbaker/Flowers-Taylor to approve the 2020 Alcohol License Renewals for Retail Sales Package Store as presented. Motion carried unanimously by all.***

5. Consider approval of the following 2020 Alcohol License Renewals for the Retail Sale of Beer and/or Wine:

- Jay Vasudev, Inc. dba Expressway Food Mart located at 2903 N. Expressway, Griffin, GA 30223-Pravinbhai Patel. Beer and Wine.
- Shehzad, Inc. dba Prince Food Mart located at 3425 Jackson Rd., Griffin, GA 30223-Shukat Sadruddin. Beer and Wine
- RaceTrac Petroleum, Inc. dba RaceTrac #182 located at 4200 N. Expressway, Hampton, GA 30228-Merrill Tanner. Beer and Wine.
- Global USA, Inc. dba Super Food located at 2529 Old Atlanta Rd., Griffin, GA 30223-Akber Ali. Beer and Wine.
- Arihant C Stores, LLC dba Tony's One Stop located at 4275 N. Expressway, Hampton, GA 30228-Chirag Desai. Beer and Wine.
- Zetella Z, LLC dba Zetella Express located at 4319 Newnan Rd. Griffin, GA 30223-Sadru Ali. Beer and Wine.
- Ambaji 2011 Inc. dba Valero Food Mart located at 2995 N. Expressway, Griffin, GA 30223- Roma Desai. Beer Only.
- Sam N Ash, Inc. dba S & M Grocery located at 3244 Fayetteville Rd, Griffin, GA 30223- Waseem Khan. Beer Only.

Mr. Wilson stated that all of the applications have been reviewed and staff recommends approval for 2020.

***Motion/Second by Flowers-Taylor/Miller to approve the 2020 Alcohol License Renewals for Retail Sales of Beer and/or Wine as presented. Motion carried unanimously by all.***

6. Consider approval of the following 2020 Alcohol License Renewals for Consumption on Premises Beer, Wine and Liquor:
- Big Jim's Wing Shack located at 1557B Williamson Rd. Griffin, GA 30224-Jimmy Allen.
  - Griffin Moose Lodge #1503, located at 1435 Zebulon Rd., Griffin, GA 30224-Bart Miller, Jr.
  - Sun City Peachtree Golf Club, located at 250 Del Webb Blvd., Griffin, GA 30223-Derron Deraney.

Mr. Wilson advised that all criteria has been met for renewal.

***Motion/Second by Flowers-Taylor/Hawbaker to approve the 2020 Alcohol License Renewals for Consumption on Premises Beer, Wine and Liquor as presented. Motion carried unanimously by all.***

7. Consider the approval of the 2020 Alcohol License for:

William J. Madison-Jackson Beverages, LLC dba Beverage South Griffin/Lagrange. Beer and Wine. (New applicant)

Mr. Wilson advised that this is a new application and all criteria has been met, recommend approval.

***Motion/Second by Johnson/Flowers-Taylor to approve the 2020 Alcohol License for Beverage South Griffin/Lagrange. Motion carried unanimously by all.***

8. Consider approval of contract with Sullivan and Ogletree PC to provide indigent defense services in State and Juvenile Court for Fiscal Years 2021, 2022 and 2023.

Commissioner Dutton asked that this item be tabled. This was not bid out, it is a very large contract and it wasn't bid out. This is not to say anything bad about Sam and Michelle, they are both fantastic lawyers, this is not about you, but he knows of several firms from this area that would like to bid. Everyone thought it was coming up in January to bid and he feels that right now we are spending \$126,000 more for the State Court Courtroom than we are paying for the four Superior Court's combined. He feels if we bid this out we could save the taxpayers some money. Again, not to disparage the people who have been doing it, but he doesn't feel we should approve this at this time, it needs to go through a formal bidding process.

Mr. Wilson then stated that we have never bid and are not required to bid Professional Services. We have traditionally relied upon recommendations from the Courts for these services and those recommendations are attached. Before we had this contract the individual who performed the duties passed away and this firm came to us and stated they would be willing to take over the contract. They basically did the County a service and that is the history dating back to the 90's.

Commissioner Flowers-Taylor stated that she doesn't have a problem bidding this out, she remembers when the determination of professional services would not be bid out, but she couldn't remember if it just applied to attorneys.

Mr. Wilson then stated that it was for Attorneys, Accountants, Engineering, etc.

Commissioner Flowers-Taylor stated that if the job can be done as well as it is currently being done and it can be done for less for the County, she doesn't have a problem looking into it.

Commissioner Hawbaker then asked when the current contract will expire?

Mr. Wilson advised that the current contract will expire on June 30, 2020.

Commissioner Hawbaker then stated that he, personally, believes that it should be bid out. It is no reflection on the services currently rendered by this firm, it is contingent upon the Board, if it is an option, to save some money.

Commissioner Flowers-Taylor stated that the policy does not state that we have to bid out professional services; however, if we are of the mind set that we are going to bid out professional services, then we need to look at the entirety of that. Every year when we do our appointments, do we want Beck, Owen and Murray to continue to be our County Attorney. At the end of the day if it is her household budget and somebody can provide the service for 20% less than my current provider, she would try to do the best for her budget, but just know that we can't just do this one, we have to look at all professional services. We don't need to "pick and choose" which ones we are going to bid out.

***Motion/Second by Dutton/Hawbaker to table the approval of a contract with Sullivan and Ogletree PC to provide indigent defense services in State and Juvenile Court to Fiscal years 2021, 2022 and 2023. Motion carried unanimously by all.***

9. Consider approval of low bid in the amount of \$1,199,812.34 to A M Construction LLC for intersection #3 improvements.

Mr. Wilson advised that all of the demolition for Intersection #3 is complete, this bid came in a little under the budget for the intersection. There is also a Georgia Transportation Infrastructure Grant for \$915,000 to help pay for this as well. Staff recommends approval to A M Construction, LLC.

Commissioner Hawbaker then asked what the anticipated completion date for the project will be?

Mr. Wilson advised it would be approximately 180 days.

***Motion/Second by Hawbaker/Flowers-Taylor to approve the low bid in the amount of \$1,199,812.34 to A M Construction LLC for intersection #3 improvements. Motion carried unanimously by all.***

10. Discuss request for refund of "overpayment" of 800 MHz services by the City of Griffin.

Mr. Wilson advised that the County had received a letter from Kenny Smith, City Manager for the City of Griffin, dated May 2<sup>nd</sup>, 2019 with his attachment and his assertion that the City of Griffin should not pay for 800 MHz radio services because the contract had expired. They have paid for services up until that time and they continue to utilize the 800 MHz service.

Spalding County sent the City of Griffin an invoice in March of 2019, which generated the letter from Mr. Smith stating that it is the City of Griffin's opinion that 800 MHz and 911 under SDS are the same thing. Mr. Wilson then stated that he had advised the Board of Commissioners at the Regular Meeting on October 7<sup>th</sup> that Mr. Smith and he had vehemently disagreed about an item and it is the 800MHz and 911.

Mr. Wilson then stated that before 800 Mhz, the City of Griffin had their own radio system, which they operated, they paid for, they had their own dispatch, etc. and Spalding County had an independent system as well. VHF radio systems. When we got 911, we dispatched from the 911 Center on those radio systems and the City

of Griffin still had a couple of dispatchers at the time, the Sheriff's Office had some, but essentially, everything went to the 911 Center. 911 and 800 MHz in his opinion are not the same thing. As a matter of fact, they are budgeted completely separately in our budgets. We have a 911 Fund that operates the 911 Center which is when you call into 911 we answer "Spalding County 911, What is your emergency?" Once the nature of the emergency is determined, then the dispatcher for that service will take over. In counties that do not have a joint dispatch, if you call into that 911 service, you are transferred to the independent dispatch and that entity will then dispatch the call. Spalding County has a joint 911 Center that the City of Griffin pays absolutely nothing for.

Under the original format in the 90's, when it was established, we came together and Spalding County provided the equipment and the City of Griffin provided the location and the utilities because it was in the City of Griffin Fire Station in front of Southern Crescent. When Tenet built the EMS Center, we moved 911 operations because we had outgrown the basement of the Fire Station to the upper level of the EMS Center on Williamson Road. At that time the City shared in no expenses because 911 moved to the EMS Center.

During the 800 MHz discussions that went on for months and months. There was an 800 MHz Committee and at every meeting of the 800 MHz Committee, he would stand up and say, "when the system goes on-line, each entity will bear the operational cost of the 800 MHz system based on the number of units that they have on the system." The City believes that they should not be charged, at all, for emergency services for 800 MHz because the initial purchase was made through SPLOST. The equipment was paid for through SPLOST funding, but the operations are paid for entirely by Spalding County.

Mr. Wilson then advised that during his sabbatical, Spalding County reached an agreement with the City to pay \$16.00 per unit and that is currently what we are charging the other entities on the system, i.e. EMS. \$16.00 per month, per unit they have on the 800 MHz system, that is the same bill we have submitted every year to the City of Griffin. The same bill that they paid up through fiscal year 2018 and that they have not paid in 2019 and currently refuse to pay and asking for reimbursement for FY18 because the contract that was agreed upon three years earlier said we would negotiate this at SDS. Mr. Wilson advised that we chose not to negotiate SDS and renewed SDS as existing.

Mr. Wilson then stated that the City of Griffin continues to use Spalding County's 800 MHz system and Mr. Smith and Mr. Wilson continue to disagree and Mr. Smith stated that he would continue to send Spalding County bills with interest for the amount that they claim that we owe them, and Mr. Wilson advised Mr. Smith that he would continue to ignore those bills. Mr. Wilson told Mr. Smith he would bring the matter before the Board and see if the Board wanted to take any action. Commissioner Hawbaker then asked how this matter relates to the joint meeting that Spalding County had with the City of Griffin in 2015 trying to resolve the unpaid amounts that we were owed by the City. Was that just for past expenses and had nothing to do with going forward?

Mr. Wilson stated that there was a contract done at that time and the City agreed to pay us up until 2017, when SDS was scheduled to be renegotiated.

Commissioner Flowers-Taylor stated that this is not about "bashing" the City. We had an intergovernmental agreement and it expired. She then stated that it is Mr.



Wilson's job to know when a contract expired and it was 2019 before the City of Griffin decided that we don't have a contract and we don't have to pay this. That was Mr. Smith's job to, he should have known that something needed to be done because the contract was ending. All that being said, this is not the kind of thing that needs to sit on the table. The City is smart enough that when they make an intergovernmental agreement, in her experience on the Board, they make an intergovernmental agreement, we have been in several situations where we have all nodded in agreement, but when it came down to the end of the road we didn't have an intergovernmental agreement.

Commissioner Flowers-Taylor then added that her point is, if the City does feel like they should pay for this service, this \$58,000 is not worth us having a "falling out" about, but what she does know is if they don't feel like they should pay for that service and we know that this contract was based on all of the users paying for the service, then they must not want to utilize the service and they have a plan to go back to something else. This service is in possession of Spalding County, if they don't want to pay for it then cut it off. She is just saying, let's not sit here going back and forth, if that is the understanding that they had and they used it for almost two years and they want the money back, we can do the same thing, we can request that money from them and they can take us to Court. But at the end of the day if they want to use that system they have to pay for it just like the hospital pays for it, like we pay for it and it's not part of 911.

Commissioner Flowers-Taylor then stated that she wants this matter out in the open and she wants it to be resolved. This is not something to "kick back and forth down the road" it's plain and simple, if they misunderstood and they overpaid us "here is your money, but there is no more service after two weeks." The SPLOST only purchased the equipment, it does not run the service, it is not the sole responsibility of Spalding County to run the radio system for every entity in the County.

Commissioner Dutton then asked if they were trying to get a refund on a service they have been using?

Commissioner Flowers-Taylor stated that the hospital still pays to utilize this system and we still pay for every radio on the system and if the school system uses it they pay. The City can feel whatever way they want, but Spalding County operates the system, so if they want to take us to Court and sue us for not allowing them access to the service for free, let them do it, they have the right to do that, but we are not going to sit here and fight them over \$58,000, give them the money and cut the thing off.

Commissioner Dutton then stated he would agree if they want to cancel the contract going forward, it's called unjust enrichment, if they use our system or we reserve a spot on our system for them to use for a period of time, then they owe us for the service. If you give us notice that you no longer wish to participate in the service, you won't owe us once notice is received; however, you still owe us for what you have already accrued. We are not going to give you back money, when you utilized our system. He doesn't feel we should give them back money.

Commissioner Flowers-Taylor stated that if you use services from 2017 through 2018 which is what they are asking to be reimbursed for although the contract didn't expire until October 2018 and you are asking to be reimbursed for that period and you still use those services, we can bill you back. Or if there is a difference between what you say you owe us and we can discuss that,

Commissioner Flowers-Taylor then stated that she doesn't feel we should just continue to argue about what we are going to do with SDS. When we had the opportunity to sit down with the City of Griffin in 2017, it didn't happen like that. The SDS was brought to the Board to approve and continue the current contract, it was presented to the City of Griffin at almost the 12 o'clock hour for them to approve it before we all lost our money. Had we done, what we should have done in 2017 with regard to the SDS, we probably would not be having this conversation now. She feels at this point we need to talk about what we're going to do and not let this keeps sitting and letters are going back and forth.

Mr. Wilson stated that is why it is on the agenda this evening, to get Board action.

Commissioner Dutton stated that if you want to make this refund part of the SDS negotiations, he is fine with that, but to simply hand them back money for a service they have utilized and continue to utilize doesn't make any sense to him.

Mr. Wilson stated that the 800 MHz system is being utilized right now by everyone, City Fire, County Fire, Sheriff, Police and EMS. In order for the City to establish their own system, they would need at least 9 months to a year. So, you can say...

Commissioner Flowers-Taylor stated that yes we can... What they are saying is they're not paying anymore. She appreciates Mr. Wilson wanting to be diplomatic, but she feels that 30-days notice should be enough. She asked that this be placed on the agenda because she feels there needs to be a more in-depth conversation on this, she doesn't feel we can iron it out tonight, but we need the City to know that we are paying attention to this matter.

Commissioner Dutton then stated that the citizens of Spalding County pay taxes and expect us to be good stewards of that money and to not address this issue is a slap in the face to those taxpayers.

Mr. Wilson advised that Spalding County pays for 800 MHz out of the General Fund and the other funds reimburse for their portion. All of those funds pay their share based on the number of units, whether it be mobile data terminals, walkie talkies or radios in the vehicles, or a base station that may be sitting in an office and that is the fairest way. You take all of the expenditures for the tower sites, the maintenance on the system and divide it by the number of users and that gives the amount per unit.

Commissioner Flowers-Taylor stated that she isn't saying that her solution is the answer, but we do need to do something definitive, we don't need to keep sending letters back and forth. This needs to be moved to the front burner and addressed, because this is 2019 and how many other agreements do we have that have expired. She didn't want an answer tonight, she simply wanted to begin the conversation.

Mr. Wilson then asked if the Board would like to have the County Attorney to draft a notice that says apparently you don't want to continue using Spalding County's 800 MHz system and then give them 120 days to replace the system.

Commissioner Miller stated that he would simply like to give them 30 days and if they don't pay for the service, drop them. Give them 30 days and if they want the service they start paying until they get their system in place.

Commissioner Flowers-Taylor stated that this is why we need to start the conversation and give everyone an opportunity to think about what action they

would like to take going forward. At this time, we all agree that nobody should use the system that is not going to help support it, just how we should move forward in addressing the issue is the question.

Mr. Wilson then asked if the Board would like to table the discussion to the November 4<sup>th</sup> meeting.

***Motion/Second by Dutton/Johnson to table the discussion of a refund of "overpayment" of 800 MHz services by the City of Griffin until the November 4<sup>th</sup> Regular Meeting. Motion carried unanimously by all.***

**Chairperson Johnson then exited the meeting and Vice Chairman, Hawbaker continued with the next item.**

11. Consider request from the Spalding County Public Works Department to enter into an Agreement with GOV Planet Auction Company to auction surplus equipment.

Mr. Wilson stated that this agreement has been reviewed by the County Attorney and GOV Planet has made the requested changes. Staff would like permission to try this service. Other counties have utilized this service with the large equipment, this auction venue is for road equipment, not for smaller equipment. Staff is requesting to utilize this service for a few large pieces of equipment to see if it is a viable avenue for selling surplus equipment.

Commissioner Hawbaker asked if there would be a minimum set on the equipment.

Mr. Wilson stated that the county would set a minimum on any item sold. There are two old motorgraders and a couple of old trash trucks. When we have had the auctions locally, these pieces of equipment have only brought \$1,500-\$2,500 and they should bring much more than that.

***Motion/Second by Flowers-Taylor/Dutton for the Spalding County Public Works Department to enter into an Agreement with GOV Planet Auction Company to auction surplus equipment.***

**Chairperson Johnson re-entered to the meeting.**

***Motion carried 4-0-1 (Johnson abstained).***

12. Consider request from the Spalding County Public Works Department to declare four (4) pieces of equipment surplus.

Mr. Wilson stated the four pieces of equipment to be declared surplus for the auction is two motor-graders and two Peterbuilt pieces of equipment.

***Motion/Second by Hawbaker/Johnson to approve the request from the Spalding County Public Works Department to declare four (4) pieces of equipment surplus. Motion carried unanimously by all.***

13. Consider approval of revised final plat for Westbury Subdivision (f.k.a. Sherbrooke Phase III).

Mr. Wilson stated that everything has been provided that is needed and staff recommends approval.

***Motion/Second by Flower-Taylor/Miller to approve the revised final plat for the Westbury Subdivision (f.k.a. Sherbrooke Phase III). Motion carried unanimously by all.***

14. Commissioner Flowers-Taylor would like to discuss Proficiency Pay for County Employees.

Commissioner Flowers-Taylor stated her concern is there are a number of classes eligible for Proficiency Pay that are actually paid for by Spalding County, but we still offer individuals the ability to receive proficiency pay even through we paid for

them to go to school. She feels this is a conflict. There was a request for training out of State, and she was told that it wasn't budgeted because the training was out of State which, there is nothing in our policy that says that training paid for by the County has to be in-State training. So first of all we need to amend our policy to reflect that we will not pay for out-of-State individual training.

All of the training is supposed to be for the good of the County and we know that the training will assist the individuals to grow into better employees and provide a different skill set. We need to look at how we determine if we send somebody to school and they get a certificate, we pay for the classes and then they get a 2% increase in their pay. What is going to stop them from going and get another job with the training that we just gave them that we paid for. She is pro-proficiency pay, but we need to look at it. Some of the employment areas have absolutely nothing they can do to earn proficiency pay on their job.

Commissioner Flowers-Taylor then stated that this needs to be part of a work session as she feels that now that we have this policy in place it is time to "tweak it" in some places so that it is fair across the board.

Chairperson Johnson asked if this should be a Retreat Item?

Mr. Wilson stated that since the original policy was discussed at this year's Retreat, it would give us time to discuss this with Mile Neville and come up with some recommended changes for you.

**Consensus of the Board is to place this as a Retreat Item on the agenda at the annual Commission Retreat in 2020.**

15. Consider request for an Intergovernmental Agreement for Automatic Response and Mutual Aid in Emergency Incidents between Spalding County and the City of Griffin.

Michelle Irizarry, Assistant County Manager, stated that this Intergovernmental Agreement is for automatic aid in areas that are in very close to proximity of the border with the City of Griffin. So, if Griffin could respond quicker or Spalding County could respond quicker, that is what would be done.

***Motion/Second by Flowers-Taylor/Dutton to approve an Intergovernmental Agreement for Automatic Response and Mutual Aid in Emergency Incidents between Spalding County and the City of Griffin. Motion carried unanimously by all.***

16. Consider approval of a Task Order Form submitted by Paragon Consulting for the cost of evaluating the Cowan Road as a possible site for the Aquatic Center.

Mr. Wilson advised that we did not receive this item until late Friday and could not get it on the agenda. The Board had approved getting a price quote from Paragon for analyzing the propose site on Cowan Road as a possible site for the Aquatic Center. The cost of the analysis will be \$12,700 and recommend we move forward.

Commissioner Dutton then question the cost of looking at the site.

Mr. Wilson stated that a copy of the Task Order Form has been placed at everyone's position on the dias for your reference.

Commissioner Miller then stated that if the Aquatic Center doesn't fit there then we are out \$12,700 and we will have to go back and do another one.

Mr. Wilson stated that there is a lot of work to be done for conceptual designs.

Commissioner Flowers-Taylor asked if the funds would come out of the money set aside for the Aquatic Center?

Mr. Wilson stated that is correct.

Commissioner Dutton stated that he is in favor of it being placed at the Lakes at Green Valley, that is where the Swim Team wants it to go. We would be wasting money going somewhere else, especially if we are going to pay \$12,700 for someone to take a look at it.

Commissioner Flowers-Taylor stated that you will have to do the same thing at the Lakes at Green Valley.

Commissioner Dutton stated that this is a preliminary plan on this location, he has viewed the overall master plan for the Lakes at Green Valley, is already completed by the Development Authority on the land they are going to give us out at the Lakes at Green Valley.

Chairman Johnson stated that she had the opportunity to visit the LaGrange Parks and Recreation facilities and one of the things they are very proud of is their Parks and Recreation. The thing that sets them apart from other Parks and Recreations is that they have the majority of their facilities in one area and she likes that concept. It doesn't make logistical sense to have an Aquatic Center out in an Industrial Park. We have a great park already at Wyomia Tyus, we have a lot of activities already centered there, if we have the space, it just makes sense to put it there.

Commissioner Dutton stated that he respectfully disagreed, he feels it is better for the citizens to have parks all over and to have amenities all over and not in one location. There is already quite a lot at Tyus Park and the corridor coming off of SR16 is a very under utilized area and this would have direct access to that and this is where the Swim Team wants to go. He simply feels it is better in every direction.

Commissioner Hawbaker stated that this \$12,700 is for a tentative location and appears to be putting the "cart before the horse" type of study and that is what bothers him about this.

Commissioner Flowers-Taylor stated that if we had done this type of study before we did the Pickleball, we would have known that the dirt under that location would need some special attention prior to getting deep into the project. Yes, \$12,000 is a lot of money but it is the type of evaluation that keeps us from spending considerably more before you get into the project and you don't have anywhere else to go because you have already invested so much money into the spot.

Commissioner Dutton stated that this is not a soil and water survey, it is not a geological evaluation, this would not make any of those discoveries.

Mr. Wilson then stated that this is the type of preliminary plan that we have been preparing for Heritage Park, it is the same type the conceptual drawing and the plans and the cost estimates. We will have to do this for whatever location was chosen.

Commissioner Dutton then asked if we could get the preliminary plan on the Cowan Road and the Lakes at Green Valley done at the same time so that we can compare the two areas.

Commissioner Miller stated that we don't need to spend any money that we don't have to, the construction pricing when the SPLOST was voted on have gone up significantly. We started out with a \$4.1 million Aquatic Center and you may not have enough money by the time we get through to spend that kind of money.

Commissioner Hawbaker stated that he doesn't feel that we should spend any of the allocated SPLOST money for the Aquatic Center on acquisition of land, wouldn't we have to pay the School Board to acquire the property?

Mr. Wilson advised that the School Board is having an appraisal done on the property.

Commissioner Hawbaker stated that is an issue.

Commissioner Miller stated that the matter needs to be tabled until we know if the School Board is going to ask for us to purchase the property.

Mr. Wilson stated he was not sure they were going to ask the County to purchase the property, but they had advised they were getting an appraisal on the property.

Commissioner Flowers-Taylor stated that she didn't want to spend money evaluating land that we may not be able to obtain.

***Motion/Second by Hawbaker/Dutton to table approval of the Task Order Form submitted by Paragon Consulting for the cost of evaluating the Cowan Road location for a possible site of the Aquatic Center. Motion carried unanimously by all.***

## **X. REPORT OF COUNTY MANAGER**

- ✓ Chairman Johnson and Kathy Gibson attended the DCA Conference to learn about the CDBG process and attended the awards dinner on Wednesday night and picked up a check for \$750,000.
- ✓ We were saddened to hear of the death of Ballard Brooks. Mr. Brooks has been a fixture of this community since Sun City opened. He was one of the original purchasers out there. He was a great person and we will miss him. Mr. Brooks was our appointment to the Griffin-Spalding Development Authority and his term would have expired December 31, 2019. We will need to appoint a replacement, or we can just wait until January, whatever the Board wishes to do.
- ✓ Spalding County has gone into Drought Level 2, a press release has been issued on this, it means a mandatory odd/even watering.
- ✓ Kathy Gibson and Chairman Johnson attended the DCA Conference and Ms. Gibson found out about an Innovative Grant and after her presentation, I am going to ask the Board to allow us to submit a pre-application for this grant.

Ms. Gibson then advised that during one of the CDBG workshops she attended, it came to light that there was a grant opportunity that had been discussed and that had not been awarded. The initial grant was offered in May, 2019 and there were 12 pre-applications submitted at that time, two of which were approved for final submittal. However, those two applications were not funded so they have reissued the pre-application for the grant.

After the presentation, she spoke with Debra Smith of Alan Smith Consulting about a possible project, she then introduced me to Joannie Perry, DCA Director of Finance Division and Kimberly Carter, DCA Director of Community Development regarding possibly submitting the Rosenwald School/Heritage Park Project. They were all very interested and felt this project would be excellent for the Innovative Impact Grant.

DCA's Innovative & Transformational Project is a demonstration program through the CDBG (Community Development Block Grant Program). The purpose of this program is to encourage projects that will result in transformational changes through local governments.

DCA recognizes that transformational change cannot occur overnight or without sustainable financial resources. In order to provide communities that can demonstrate their vision, strategy and commitment to transformational change, DCA will provide financial resources to help "kick-start" that change.

Transformational as defined by DCA is an individual or series of activities that will support long-term, systematic and sustainable change. The definition they feel is broad enough to allow flexibility in defining what could be transformational in the community. They are currently looking for impactful projects that will transform a community.

- DCA will award up to \$2 million per project
- Minimum match requirement is 15%
- Pre-Application is due by November 18th, 2019
- Full Application will be due February 14th, 2020
- Award to be announced in March, 2020

We are respectfully requesting the Board's permission to go forward with the pre-application process to participate in the Innovative and Transformation Project being offered through CDBG for the Heritage Park Project.

Mr. Wilson then asked consensus of the Board to submit the pre-application and to work with Alan Smith who is our CDBG grant consultant on this pre-application to get it submitted with all of the requirements through DCA. Should we be awarded the full \$2 million the County's responsibility would be 15% which would come out of the SPLOST funding.

***Consensus of the Board is to move forward with pre-application for pre-application for this grant.***

Chairman Johnson then stated that she wanted to make sure that they talked about why ArtSpace is not on the agenda this evening. The reason being is the County asked that staff reach out to local Boards and request their support for Phase 2 of the project. Of the Boards queried, the City of Griffin has not met to consider the request. We do have a commitment from the Development Authority. The School Board has said they would not be able participate and we have not heard back from the Housing Authority. This item will be placed on the November 4<sup>th</sup> Agenda, we simply wanted to get all of the participants in place for Phase 2.

## **XI. REPORT OF ASSISTANT COUNTY MANAGER**

- ✓ We received a request late this afternoon from ACCG and it has been forwarded to the Board requesting if you are a veteran and, if so, in what branch of the service you served.
- ✓ We will continue the SDS Managements Meetings with the City of Griffin on October 28<sup>th</sup>.
- ✓ She and Commissioner Flowers-Taylor attended the Region 4 GRPA Awards Dinner on October 16<sup>th</sup>. Spalding County received 7 of the 18 awards. There will be a press release coming out soon. We received:
  - Class A Agency of the Year
  - Class A Outstanding Project Award for the Fairmont Park and Community Center SPLOST project
  - The Jo Ellis programming network professional award went to Lauren Brown at the Spalding County Senior Center
  - Greg Thaxton received the Parks Network Professional Award
  - Felicia Camp received the Outstanding Administrative Support Award

- John Dennis received the Outstanding Parks Maintenance Award for 30 years of dedicated and flexible service within a growing department
- James “Sonny” Walker received the Outstanding Programmers Support Award.

It was an exciting evening and we are proud of Spalding Parks, Recreational and Leisure Services family.

## **XII. REPORT OF COMMISSIONERS**

**Bart Miller** – We need to get with Public Works, there are a lot of potholes on all of the roads in his area. We have a number that need to be repaired and they are getting worse.

**Gwen Flowers-Taylor** -The wreck this morning on High Falls Road was horrific, a motor cyclist was hit by someone pulling into the road, and we really do need some traffic management in that area. The speed limit is not being observed, they are not slowing until they have to stop at the rail crossing. It is really unsafe and she would love for it to be looked at.

She had talked with Commissioner Johnson on the day she went to the DCA meeting and they confirmed what she has been saying all along, it is really important that we change our IMPACT Fee if we want to set money aside for the Aquatic Center or we want to get money for Heritage we have to decide as a Board when they send that forward this is what we want. It won't be all the money, but it can be another source of money.

No one has asked as a Board or requested to GSBTA any long-term funding for these projects because they have the capability to be able to give multiple year grants to help projects. The Heritage Park Project was on their “short list” of low hanging fruit. So, we need to look at that. She would also ask the Board to consider the 3% that we get annually from Hotel/Motel Tax goes into the General Fund, why can't we use that money as leverage to get bonds so that we can finish that project and we will have that money every year to pay it off. We know it's hotel/motel and it is economically driven, but she is looking at ways where the money can come on so that we can get the project done and we can still pay for it. She's not sure how much it is, but if you know that you will have that coming in for the next 10 years you can easily go forward and get a loan or issue bonds so that we can get this project done. We need to get this done and we need to figure out how to do it. We've got a good section of the population that is upset. She asked that this be looked at as something that we can use a leverage.

She still wants to have a workshop on the trash, she is tired of picking up plastic drink bottles on the side of the road. A few years ago, we did an amnesty day with the City of Griffin and people could bring in old tires, old vehicles and other things and we might need to do that again.

**James Dutton** – He loves the idea of the Grant, it is just like ArtSpace we need to do whatever we can do to get that project solved. We have a lot of folks who would be willing to make calls on our behalf to get the grant and we should definitely tap into that resource.

Now that we have gone to the Development Authority, we hope that the City of Griffin will give us the green light that they want to participate along with us as partners. He is very excited to see the out pouring of support from every direction to get this project done.



The next step for ArtSpace will be to poll the area to see if there is enough people in the art community that want to be involved in this project. He has gone to two different art marketplaces in the area and have talked to them.

We won an award for the outstanding job that was done on Fairmont Park and he would like for us to win another award for Heritage Park.

The representatives from MDA being here this evening and showing how the funding for the boot campaigns are utilized, it is a wonderful thing that we are doing.

If we can do things with regard to professional services to save the taxpayers of this county money, we are going to do it. There will be no rock left unturned. We are going to be as lean and mean as we possibly can and still provide the same level of service.

**Don Hawbaker** – No comment.

**Rita Johnson** – The evening that Kathy and I had at the conference was a great evening and to see all of the communities and counties that received awards. There was a lot of money being distributed, it wasn't just Spalding County, the City of Griffin received a grant and the Housing Authority also received a grant. We were well represented.

She agrees with Commissioner Flowers-Taylor and we can make some changes in some of these projects. Any applications that we see that we qualify for, we have to go after them.

She wanted to add that small bumps in the road with the City of Griffin are going to come up from time to time, but she doesn't want them to strain our relationship. She feels that we have a great relationship with the City of Griffin, we have a great partnership through Archways that has pulled us together and the last thing we need to do is to let something pull us apart.

**XIII. CLOSEDSESSION** – None.

**XIV. ADJOURNMENT**

***Motion/Second by Flowers-Taylor/Miller to adjourn the meeting at 7:40 p.m. Motion carried unanimously by all.***